Juvenile justice (80)

Youth Services in Juvenile Justice

A Program Resources Overview

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A Complex Society for Children

British Columbia today is characterized by rapid complex growth and change. As a result, children find themselves growing up in communities which may rapidly alter during the space of a child's formative years. Friends and neighbours come and go. Schools change. Shopping areas, business operations, population densities spring up almost overnight.

Children are growing up in a consumer-oriented society with its variety of extremes and disparities—affluence vs poverty, opportunities vs mental illness, alcoholism, crime and social conflict. In this migratory society the effectiveness of traditional institutions which have long moderated behaviour and social conflict—family, church and schools—are facing more and more pressures.

The net result is that increasingly the justice system and public social services have been required to intervene in situations of social conflict and social need which even a decade ago were handled more informally within local communities. The job of the administration of justice is therefore no mean feat for it has to be able to recognize the competing values of stresses in society and as well the special needs of children, all during periods of never-ending and quickly occuring change.

The justice system is composed of four basic components: police, courts, legal services and corrections. Each of these has specific responsibility.

In order to carry out an effective role the resources and programs available within the justice system for children are many and diverse: educational, corrective, residential and financial.

The Government Ministries responsible for these varied activities are four: Education, Health, Human Resources, and Attorney-General. Each of these Ministries has established broad priorities in legislation to provide services within their own area of responsibility.

In addition, of course, there is a diverse range of private agencies providing helpful direct or related services to the justice system.

As a result of the complexity and interdependency of these working inter-relationships in juvenile justice, specifically in the area of utilization of resources and programs, it becomes necessary to describe that which exists and how indeed the system operates.

The purpose of this booklet is to furnish an overview of the justice system involving children in British Columbia and the respective areas and responsibilities of the various governmental and private agencies which are a part of its constellation of activity.

It is my hope that the contents will be informative, both for those within the system and for any concerned person who wishes to know more about how children in conflict with the law are dealt with in this province.

Garde B. Gardom
Attorney-General

March 15, 1978

Part I

A. Prevention: The Role of the Community

It has been said that "an ounce of prevention is worth a pound of cure". This is particularly relevant when it comes to youth in conflict with the law. Prevention is still the best tool available for settling potential issues in justice.

There are many kinds of prevention, such as parents setting reasonable standards of behaviour for themselves and for their children, schools focussing on social responsibility in their curriculum, churches reaching out to young people, and such practical ones as removing opportunity for an offence through tighter security of merchandise in stores, the locking of cars, and still others such as community youth program activities. It includes dealing with conflict in the life of the young person in the home, at school, before frustrations and negativism set in and the potential for criminal behaviour develops. Personnel working in the justice system (police, judges, lawyers, probation officers, social workers) and relevant government Ministries often provide services on an informal personal basis in efforts to prevent young people from becoming involved formally (as a result of an offence) in the system.

But every citizen of this province has a responsibility to take preventative measures in an attempt to avoid the occurrence of crime. Every municipality through its Council has a responsibility to develop the necessary local programs for their own children. The provincial government, sometimes in conjunction with the federal government, is to provide services and programs which fill in the gaps or equalize regional disparities. But the key is local citizens who, as individuals, can influence the quality of life in communities throughout British Columbia, which in turn has a significant impact on the quality of justice practices in this province.

B. What Happens to Youth in Conflict with the Law

In Canada, the federal parliament sets the legislation which specifies how the provinces must administer the laws of the land when a young person under the age of 17 (in British Columbia) commits an offence. The governing legislation is known as the Juvenile Delinquents Act. Young persons who break the laws defined in the Act are said to be "juvenile delinquents".

> "Juvenile delinquent: means any child who violates any provision of the Criminal Code or of any federal or provincial statute, or of any by-law or ordinance of any municipality, or who is guilty of sexual immorality, or any similar form of vice, or who is liable by any reason of any other Act to be committed to an industrial school or juvenile reformatory under any federal or provincial statute." *Juvenile Delinquents Act*

The Juvenile Delinquents Act recognizes in its wording that, as youths develop, and find themselves in an ever-increasingly complex society where values change, they may not always use good judgement in the community, at school or work, or at home. It recognizes that this can happen for a variety of reasons: social circumstances, peer group pressures, lack of knowledge of the law, or just plain and simply—a mistake. The legislation envisages that intervention must be characterized more by friendly but firm guidance and support than by the severe sanctions which are available with respect to adult offenders.

> "[a juvenile should] be dealt with, not as an offender, but as one in a condition of delinquency and therefore requiring help and guidance and proper supervision." Section 3(2) *Juvenile Delinquents Act*

Our system of justice for juveniles has evolved not only with the protection of society in mind, but also with the fostering, along acceptable lines, of individual growth in those young persons who come into conflict with the law.

The role of the police has been changing over the past few years, to lend increasing flexibility for individual police officers to handle each individual offence and offender as he/she sees fit. This trend is really the developing formalization (setting of policies) of activities which for many years have made the police a key mediating force in local social conflict.

In the case of children, a reprimand for unlawful behaviour may be sufficient, perhaps with restitution if appropriate. In some instances, where the actual offence is not an important issue, police may refer the parents or child directly to a Social Worker or Probation Officer for counselling and assistance, or liaise directly

with the school or place of employment to help remedy the situation. If the living circumstances of the child are of extreme concern, the Police Officer or the Social Worker (or other interested party) may apprehend the child under provincial legislation known as the Protection of Children Act.

Several urban settings in British Columbia have developed regional or local police teams, which allow officers to become familiar with the neighbourhood, the persons living in it and the social service teams which can be relied upon to give assistance and assume responsibilities in all manner of situations related to the emotional and physical welfare of the young person. This is a recognition that dealing with social conflict and social needs where and when they happen is the most effective action.

The police generally are the first contact for all those who would break the community's laws and this applies to juveniles as well as adults. When the police feel that there is sufficient evidence for a charge to be laid and it is felt necessary and appropriate to charge, the matter is sent to the local Crown Counsel's office.

The role of Crown Counsel with respect to alleged unlawful behaviour on the part of young persons, who have been referred by the police, is guided by a specific piece of provincial legislation which suggests the immediate referral of the case to a Probation Officer for recommendations as to whether diversion from Court action is desirable from a social point of view.

> "...a Probation Officer may, before the institution of any proceedings before the...Court...endeavour to solve the problems of a child or a family by giving to them such counsel, advice, and guidance, as, in his opinion, are likely to solve those problems."
>
> Section 7, *Corrections Act*

The referral is an automatic procedure in cases of Criminal Code and federal offences. Depending on local arrangements, referrals might not be made respecting provincial statute offences, such as Liquor Act and Motor Vehicle Act infractions.

Where the matter is deemed serious or in the public interest by the Crown Counsel, or where questions of guilt or innocence are involved, the Court process will be commenced, with the Crown Counsel assuming prosecutorial functions.

The role of the Probation Officer in the justice process is diverse.

He or she is first called upon by Crown Counsel to investigate the social circumstances of the case in order that a judgement may be made about whether the matter should proceed to Court. In carrying out that enquiry the Probation Officer will consult the police, parents, possibly friends and/or employers, particularly the school authorities, and perhaps the victim—all those people who might know the child well, or have something to add. (S)he may consult with appropriate community social services to see what resources they can offer. The Probation Officer is trained to be able to provide information which will help in making a decision which is in the best interests of the child, the family and the community.

A majority (approximately 50-70%) of all cases of young people in conflict with the law, referred to a Probation Oficer for investigation, do not proceed to Court. The matter is handled within the family and/or social service support is obtained. Many juveniles never re-enter the system after the first experience.

Secondly, the Probation Officer may be called upon to provide more detailed social and behavioural information in Court in order to aid the judge in making an appropriate disposition, if guilt is established. This information may be presented verbally, or in the form of a pre-dispositional report.

Thirdly, the Officer is in a unique position to bring together the necessary types of resources for the young person, and to provide the Court with a range of possible alternative dispositions. Where there are gaps in needed service for young people, Probation Officers often are instrumental in developing the necessary programs.

Fourthly, the Probation Officer is the supervising person who most often ensures that the intent of the Court is carried out, whether that be probation supervision, restitution, community service, or other disposition.

The role of the Social Worker in the justice system relates to his/her mandate to counsel and provide facilities and programs for children in need. Social Workers are brought into the Court process when parents or guardians are unable to provide a home, or the home is inadequate or not available and an alternative is required. The Ministry of Human Resources, which provides a wide variety of programs in the social services area, operates and/or contracts residential and non-residential services for any child in need in British Columbia. Probation Officers and Social Workers work closely together in marshalling appropriate resources for such juveniles. Often youth continually in conflict with the law are already known to the Social Worker, who may be providing other kinds of services to the family (such as arranging marital counselling, providing social assistance, etc.).

The fundamental role of the court in the juvenile justice process is to decide guilt or innocence, and to pass disposition. The application of that role has been the subject of continuing controversy. The Juvenile Delinquents Act reads as follows:

> "[The interpretation of] this act [by the courts] shall be liberally construed, in order that its purpose may be carried out, namely, that the care and custody and discipline of a juvenile delinquent shall approximate as nearly as may be that which should be given by his parents, and that as far as practicable every juvenile delinquent shall be treated, not as a criminal, but as a misdirected and misguided child, and one needing aid, encouragement, help and assistance." (Section 38)

The intent is to reach a disposition for the child which is in the best interest of him or her, and the community. The court is given considerable discretion in drawing upon the types of community resources and services provided by a number of organizations and agencies. In order to make the most appropriate individual placement to a specific program, the actual placement is made by the umbrella organization or agency. A specific example of that is with respect to child care (residential) programs of the Ministry of Human Resources. If such facilities are required by the child, and are available on the recommendation of the probation officer and/or the social worker, the child may be committed to the care and custody of the Superintendent of Child Welfare. The Superintendent then becomes the responsible agent, in effect the child's parent and the Social Worker will make the appropriate arrangements for residence. The Court is then no longer involved with the child.

Other dispositions which can be used for juveniles, as spelled out in the Juvenile Delinquents Act, are:

- Suspend the passing of any sentence for a time, perhaps for a progress report, or for an indefinite time if it is felt that the Court experience has been a sufficient experience. Further misbehaviour can result in a return to court.
- Impose a fine up to $25.
- Let the child remain in the home, but report and be accountable to a Probation Officer for behaviour in the community, with the possibility of being returned to the Court if things are not working out. This is the most frequent sentence.
- Impose any other conditions. The judge's discretion is quite wide and he can order restitution to the victim, unpaid community service for a specified number of hours, attendance at school, curfew to be kept, and so on. Conditions such as these are only imposed when the behaviour in question has caused a problem which is seen as related to the offence.

The role of Legal Services to children before the Court is assuming greater importance in the juvenile Justice System. It has been argued in past years that the essential adversary nature of the criminal (adult) court process, where Crown Counsel and Defence lawyers provide a point-counterpoint presentation for the Court's decision, is not helpful in the context of seeking to give guidance and supervision to a child before the Court. Others have argued that the essential issue before any Court is the question of guilt or innocence and that the sentencing process, after that is established, is the time for concern about supervision and guidance, i.e. once the Justice System has a mandate to deal with the person.

Issues of records and the stigma of being found guilty make the resolution of this discussion important. The new federal legislation proposed to replace the Juvenile Delinquents Act lends more emphasis to the legal procedures of adult court being upheld in juvenile justice, and may set guidelines in the area of the need for legal representation.

In British Columbia, all youths wishing to have legal representation before the Courts are advised to do so. Where such services are not available for economic reasons, the Legal Aid Society exists to provide these and has set policies for the availability of free (to client) services to both adults and juveniles where the offence is serious (indictable), or less serious (summary) but where there is a possibility of incarceration for adults, and on a case by case basis for juveniles. Financial eligibility criteria are applied.

Where the youth is in the care of the Superintendent of Child Welfare (ward or non-ward status), the Superintendent is involved in the provision of legal representation, but in cases where the Superintendent has not or is not able to do so, the Legal Aid Society will provide services.

The Court has the discretion to adjourn a case at the request of the youth or his/her parents to get legal representation. The Court will provide upon request information as to whom to see at the local Court to apply for such services. Depending upon the location, application may be through a Salvation Army representative, a Native Courtworkers and Counselling Association representative, an Elizabeth Fry Society representative, or a representative of other involved organizations or directly through a Legal Aid Office. The Legal Aid Society presently has 14 offices throughout British Columbia, and in 16 other areas, private lawyers will act as Legal Aid agents.

For more information on the eligibility of juveniles for services, and locations of service see Appendix E.

The role of public and mental health resources is particularly important in juvenile justice, as there may be a need to supply services to both the child and the rest of the family, where the offence of the child is just a symptom of other difficulties. The Court may draw upon these services, often through a Probation Officer or

Social Worker, initially in the form of an assessment, where one would be helpful in understanding the situation and passing an appropriate disposition. On-going counselling of the family and/or children is best undertaken by the community mental health services, and not by justice system personnel.

The important role of education in the individual development of children cannot be over-emphasized. Children with difficulties of any kind are first visible to the education system, and it is the early response to indicated needs which forms the most significant bases to prevention programs. Delinquent or pre-delinquent behaviour brought to the attention of the justice system often is accompanied by difficulties at school. Where possible, there is every attempt to keep young people in school in an appropriate program. Often, the joint efforts of justice system personnel, formally—by a probation order—or informally, and school officials serve to provide the supports necessary for the youth to complete his/her eduction and move through the adolescent developmental stage when delinquent behaviour often occurs.

The role of private agencies and organizations such as the Elizabeth Fry Society, the John Howard Society, the Native Courtworkers and Counselling Association, to name just a few, has been less formal in the juvenile justice system than in the adult area where they have focussed on imprisonment. Juvenile justice has tended to be more liberal and diversion of juveniles from the system, referral to appropriate social agencies, and so on, has been the normal course of events.

Agencies such as Big Brothers and Big Sisters and Service Clubs have been invaluable in providing certain kinds of services when there is a specific need.

While government operated social services have tended to expand in the past few years, there now is a general trend away from that. Many services can be as effectively, and more cheaply, provided by private agencies, though they most usually are funded to some degree by government. These services are utilized either on a purchase of service basis, either by contract (i.e. funding) or on a per diem rate basis (per individual).

Private agencies have an important role to play in juvenile justice, where they often provide a degree of flexibility in programming and type of admission not always possible in large government services.

Transfer to adult criminal court for youth in conflict with the law is an absolute measure of last resort, where a youth has shown through behaviour—such as seriousness of offence, repeated serious offences, or having exhausted all programs and services available in the juvenile justice system (including containment programs run by the Corrections Branch)—that he/she requires the specific sanctions available in adult court. The youth must be over the age of 14, and the decision to transfer is the Court's, on its initiative, or on the advice of Crown Counsel, Probation Officers, and/or other appropriate persons.

In conclusion, the juvenile justice system is a complex business focussing around dealing with a certain kind of social conflict—that relates to contravention of the law—and the marshalling of the wide variety of programs and resources available to remedy the problem. A major requirement of the justice system is to tie together the various aspects of services available throughout the government and the private sector in a way which will be helpful for each individual, and where multiple services are required, where they will be appropriately provided. The humanity and effectiveness with which this can be carried out with respect to young people sets a standard for society. The many programs and resources described in the rest of this booklet are a measure of that standard.

There is one note of caution when reading the material. All of the services indicated are not available in all centres, particularly in smaller centres. Local offices, as listed in the Appendices, should be consulted with respect to what is available.

Part II

NON-RESIDENTIAL PROGRAMS

The essential premise in the provision of programs for children in conflict with the law is to support the family as the basic unit of social development, and if assistance or control is required with regard to certain aspects, then only that which is pertinent should be provided or applied. Most young people who come into formal conflict with the law never offend again. Of those who do, many grow out of delinquent behaviour sometimes with assistance, sometimes without it, and go on to become productive citizens. Very few require removal from the home. This section of the booklet describes those programs and resources which are designed specifically as support to the home environment as well as those general programs which are provided for all children with special needs. They are described, alphabetically according to the Ministry which provides them.

A. ATTORNEY-GENERAL

Section 91 of the British North America Act, our Constitution, designates the provision of programs for children in need as a provincial, not federal responsibility. In British Columbia, while there is not one Ministry totally responsible for youth in conflict with the law, the Corrections Branch of the Ministry of the Attorney-General provides a first line of service for those adjudged delinquent. That responsibility is expressed in the activities of probation officers in the community, in court, and through the supervision of probation orders and any conditions imposed thereon. These responsibilities specifically are defined in the Corrections Act (Section 6), and in the Juvenile Delinquents Act (Sections 31 and 32).

Section 6, Corrections Act

(1) Any person who is appointed a Probation Officer under this act:

(a) is a Probation Officer for the entire province;

(b) is an officer of every court in the province;

(c) shall prepare for the court such reports as they may be ordered by the court;

(d) has power to procure and report such information as the court may require respecting a person convicted by the courts;

(e) where appointed a parole supervisor under the Parole Act (Canada) is, ex officio, a peace officer under the jurisdiction of the province;

(f) shall supervise parolees paroled under this Act; and

(g) where attached to the staff of a correctional centre, is subject to the directions of the person in charge of the correctional centre, and shall assist in case-work services and post-release planning for inmates.

Sections 31 and 32 Juvenile Delinquents Act

(31) It is the duty of every probation officer

(a) to make such investigation as may be required by the court;

(b) to be present in court in order to represent the interests of the child when the case is heard;

(c) to furnish to the court such information and assistance as may be required; and

(d) to take such charge of any child, before or after trial, as may be directed by the court.

(32) Every probation officer, however appointed, is under the control and subject to the directions of the judge of the court with which such probation officer is connected, for all purposes of this Act.

(a) Probation Supervision

The term probation arises from the historical development of adult court sentences which were alternatives to imprisonment. Probation is often interpreted narrowly always to mean direct supervision in the community of offenders. However, probation does not always include direct supervision by a Probation Officer or other agent: i.e. other types of "conditions" may apply. This is true in adult court, and the concept has been utilized by the juvenile justice system.

However, it must be added that in juvenile justice, the term probation most often is interpreted to mean an order of community supervision, and that condition is stated on the Probation Order. Legislation allows the court to place a young person on a definite term of probation, or an open-ended term. Although the age at which a young person becomes an adult in the eyes of the law in British Columbia is 17, a probation order for an indefinite term can maintain the force of law until the person reaches 21.

Expressed simply, probation usually provides for conditions and fixed residence, reporting responsibilities on the part of the offender to a Probation Officer (or volunteer sponsor), observance of the law and an accountatility for behaviour which is seen to be related to the commission of the offence in question, or other offences. Other examples of conditions specifically utilized for juveniles are curfew times, attendance at school or employment, or attendance at a specific program thought to be helpful.

Supervision by a Probation Officer includes regular contacts, the frequency to be determined by need. Counselling is provided to the young person and may include other members of the family. Assistance in job searching, liaison with school authorities or further educational pursuits may be undertaken. Probation Officers provide what personal, individual assistance

they can, but, as importantly, attempt to assist the young person in utilizing existing community resources whether that be Big Brothers (Sisters) or Canada Manpower in order that his or her aspirations and needs may be met.

Failure of the probationer to live up to the conditions of the Probation Order is an offence which can bring a child back to the court for review and disposition.

(b) Daily Attendance Programs

Some communities have developed, often with the assistance of the local Probation Officer and with the funding of the Corrections Branch, programs of activity, educational and/or recreational, including counselling, for young people who are at "loose ends" during the day, after school or in the evenings. These are often geared specifically for the interest and participation of young offenders who do not get involved in regular community centre programming, or after school programs, and so on. The court may order, as part of probation supervision, that a youth attend such a program on a daily basis. There are over 200 spaces available in daily attendance programs throughout the province.

(c) Community Service Orders

The requirement that youthful offenders perform appropriate work for the benefit of the community or the victims of an offence goes back many years in British Columbia. It was usually arranged informally at the initiative of the Probation Officer. In 1974 a more formalized organization of this activity was undertaken by the Corrections Branch, and special community Service Officers have been hired to develop banks of potential activities, and to oversee probationers carrying out such work. Types of work range from work for the victim, usually in direct relation to the offence (for example, rectifying acts of vandalism), to general assistance for the handicapped, the elderly, citizen groups, hospital services, service clubs, and so on. Such service is most often directed as a condition of probation, with the number of hours to be worked indicated, usually within a set time frame.

Community services is often utilized also as a diversionary technique, where the work is undertaken as a sufficient and appropriate response to the behaviour, and court involvement is not felt to be necessary or useful. A Probation Order then would not be involved.

(d) Volunteer Sponsors

Since 1971, the Corrections Branch has formalized the involvement of interested citizens in the justice system and several hundreds of persons are providing personal support and assistance to young people on probation. Not only can a volunteer sponsor provide an additional measure of time for the probationer, the volunteer is unfettered by the authority and power inherent in the work of a Probation Officer. The role of a volunteer can be crucial to some young people, and that roles is probably summed up in the following words of Dr. Conte:

> "It is difficult to know with certainty just why volunteers are so effective when the tasks are so varied and so many different personalities are involved. The great significance of the effectiveness of volunteers is... the message [to the offender] that someone cares."

B. EDUCATION

The Ministry of Education is the provincial arm of government with responsibility to set standards, curricula and provide funding in order that children in British Columbia may be adequately educated in whatever area they reside. It must be emphasized that a child's school experiences are some of the most important determinants of behaviour and personality. While the Ministry does not run programs specifically for youths in conflict with the law, the variety of programming available to all children is a vital aspect to the services provided to all children in British Columbia.

Under autonomous, locally elected school boards, schools in different areas offer a range of accredited courses, which lead eventually to graduation in the academic or vocational stream. Each school district is governed by the Public Schools Act and its regulations, together with policy decisions of the individual school boards.

Fundamental to the legislation and policies, is that all children between the ages of 7 and 15 must attend school, and those between ages 5 and 19 (Sec. 2) have the right to attend. Non-attendance is excused for legitimate reasons, which are spelled out in the Public Schools Act: (when)

(a) she/he is educated by some other means satisfactory to the School Board or to the court; for example, where she/he attends private school or is privately tutored. Private tutoring at the parents' expense may be undertaken by any person satisfactory to the School Board or court; or

(b) she/he is sick or there is some other unavoidable cause. Generally, a note from home is required, although some schools do not require such notes for pupils in grades 11 and 12;

(c) there is no school within three miles and the School Board has not provided transportation within two miles of the child's home; (For these children, fully accredited correspondence courses are available at no cost.)

(d) she/he has reached a standard at least equivalent to that of any school within three miles and the Board has not provided transportation for her/him to a school with a higher standard.

If a child is continually absent from school without an excuse; for every offense:

(a) the child's parents or guardians may, with the consent of the Board, be prosecuted for the child's non-attendance at school. Where the court finds a parent or guardian guilty of keeping a school-age child away from school without excuse, that parent or guardian is liable to a fine of $10 per day.

Many of the same children who are constantly before the courts have difficulty at school. While a cause-effect relationship is not clear, it is true that many young people who are in some kind of trouble at school—whether that be for behaviour, lack of attendance or related to studies—get into trouble with the law as an expression of their frustration with the "system". Most schools have counsellors whose job it is to assist students in following an acceptable course of studies which meets the student's needs, and to deal with any related personal and school problems.

Sometimes matching the individual needs, learning capabilities and personal interests of students is not possible within the regular programming offered at schools. In order to accommodate these students Ministry of Education, in conjunction with local school districts, will cost-share, at the request of school districts, a range of special education courses and activities which, while briefly described here, are covered in detail in the booklet, "Guidelines", distributed by the Special Programs Branch, Ministry of Education.

Through "Special Approvals", the Ministry of Education permits the expansion of the annual budget to accommodate programs and activities for special groups of needs which are identified by the local school district. Examples would be learning assistance, special classes for the physically handicapped (speech, visual, hearing, etc), and—particularly relevant for some children whose needs do not seem to be met by regular courses—alternative education classes. Rehabilitation classes are reinforced by child care workers contracted for by the Ministry of Human Resources.

302. REHABILITATION PROGRAMS—Secondary

These programs enable young people who are experiencing great difficulty at school or who have dropped out of school to acquire basic academic and social skills. These programs should make it possible for them to re-enter the school system or proceed to further education, training or employment.

302.1
Educational and behavioural objectives must be outlined for each program and for each individual student in a program.

302.2
Although these programs normally cover the age range of 12-18, primary emphasis will be focussed on students aged 12-16.

302.3
The Ministry of Human Resources participation will usually take the form of local contracts to cover Child Care Workers.

302.4
Child Care Workers should provide services of a social service nature. These workers are not to be used as teacher aides in a para-educator role.

The programs developed for rehabilitation classes are as diverse as the needs. Most school districts have some classes in this category continually in operation. Correspondence courses on a variety of accredited topics are available under certain circumstances. Many school districts have on staff one or more itinerant teachers, who visit and oversee home instruction programs, correspondence courses, and so on for special cases.

The Ministry of Education will also facilitate funding of a number of worthwhile unique programs which a district might develop and wish to implement.

The importance of education in the life experiences of children, particularly those in conflict with the law, cannot be overemphasized. School personnel are often a major source of assistance in seeking individual solutions for youth in trouble with the law—whether that be to tailor a particular course of education to meet certain needs, or to transfer to another school offering the sought programs. School counsellors and the principal are the first line of information. However, an additional contact is the District Superintendent*, who has a complete overview of available programs in the school district.

For more information on what the possibilities are in the area of education, other contacts are:

1. Principal,
Correspondence Branch,
Ministry of Education,
Parliament Buildings,
VICTORIA, B.C.

2. Assistant Superintendent,
Special Program Branch,
Ministry of Education,
Parliament Buildings,
VICTORIA, B.C.

* Refer to Appendix B for the addresses and telephone numbers of the District Superintendents in British Columbia.

C. HEALTH

The Ministry of Health has wide responsibilities in the provision of separate, but inter-related, categories of services—mental health, public health, and hospitals. These resources may be utilized on a referral basis by probation officers, social workers, or school officials, or in the case of requirement for a mental health assessment, the Court may remand the case while such an assessment is undertaken.

(a) Mental Health Programs

In British Columbia, the emphasis in mental health planning is on the progressive development of programs which utilize all the available treatment resources within each community. In order to facilitate this planning, 30 out-patient mental health centres have been located throughout the province. It is also of interest to note that under the provision of the British Columbia Medical Plan, the payment of private psychiatrists' services is included in the Plan's coverage, and this is increasing the availability of private psychiatric services throughout the province.

The function of each of the 30 mental health centres is to develop, in co-operation with existing resources within the community, a variety of services designed to meet the specific mental health requirements of the area served.

A centre is staffed by a team of experts in mental health and may include a psychiatrist, a psychologist, psychiatric social workers, mental health nurses, and other professional personnel.

The majority of the centres provide the following services in varying proportions:

1) direct treatment services for adults and children;
2) consultative services to physicians, health, welfare, educational and correctional agencies;
3) educational programs, both professional and non-professional; and
4) special programs such as the supervision of the long-term patient, preventive programs, boarding home care. special group homes, etc.

Locations: Community health centres have been established in the following areas:

Abbotsford, Burnaby, Chilliwack, Courtenay, Cranbrook, Duncan, Fort St. John, Kamloops, Kelowna, Langley, Maple Ridge, Nanaimo, Nelson, New Westminster, Penticton, Port Alberni, Port Coquitlam, Powell River, Prince George, Prince Rupert, Saanich, Sechelt, Squamish, Surrey, Terrace, Trail, Vernon, Victoria, Whalley, and Williams Lake.

Refer to Appendix C for the addresses of the above.

Members of a mental health centre also may make periodic visits to outlying districts of the area served by the centre primarily to provide diagnostic assessment, consultation, and referral services. This travelling clinic usually utilizes facilities provided by the local health units, and sees patients on an appointment basis who have been referred by the family doctor or the district public health and welfare services. When necessary, after seeing the patient, the clinic may refer the patient back to the family doctor, in some cases to school authorities, or on occasion, may recommend admission to a residential treatment facility. Treatment by the clinic team is usually given in close co-operation with the family doctor, the health unit, or other agency, such as Probation or Human Resources.

The major adolescent residential and day centre programs for the province, run by the Ministry of Health, are located in Burnaby, B.C., i.e. "the Maples". A variety of assessment, consultation and treatment activities are carried out, on both an in-patient and out-patient basis. However, since "the Maples" is basically a residentially-oriented program, it is described in more detail in Part III of this booklet, under Residential Programs. It also should be noted that for assessments only, there are a number of avenues available, rather than seeking counsel from "the Maples".

The **Forensic Psychiatric Services Commission** has a specific mandate to undertake assessments on offenders, juvenile and adult, where there is a need felt by the court or by the probation officer or social worker providing court services with respect to the individual. The Commission will only provide services where there is an offence involved, although there needs to be no assumption that suspected emotional difficulties are directly related to the offence. The assessment is provided only to assist the court in arriving at a disposition appropriate to the offender.

The resources of the Commission to handle all the cases in the province are limited, and it is their suggestion that local mental health services are utilized if available. The Commission operates two clinics for out-patient assessment, in Victoria and Vancouver, and tend to provide services to these major areas. Their psychiatrists and psychologists on staff will travel to local communities to perform requested assessments, but in most cases, juveniles are transferred to the Youth Detention Centres of the Corrections Branch in Victoria or Vancouver if an assessment is required, and there are no local community resources.

The Commission is responsible also for the Forensic Psychiatric Institute, formerly the Riverside Unit of Riverview Hospital, Essondale, for in-patient assessment and care where criminal offences are involved. Most of the admissions are from adult court on:

1) 30-day remands for psychiatric assessment (Criminal Code Sections 465 and 543); and

2) Warrant of Committal

   (a) unfit to stand trial by reason of insanity (Criminal Code Section 543); and

   (b) not guilty by reason of insanity (Criminal Code Section 542).

These procedures are very seldom used for youth in conflict with the law, unless the youth is transferred to adult court due to the seriousness of the offence, danger to the public or him/herself, and/or there are no other assessment or in-care programs which are appropriate under the circumstances; e.g. "the Maples". For juveniles, the more likely procedure where custody remand is indicated, is a remand to the Youth Detention Centre in Vancouver or Victoria, for assessment. (For post-dispositional care of juveniles, see Part II of this booklet.)

Referral for out-patient assessment services in the clinics in Vancouver or Victoria, including remand to the Youth Detention Centres in those areas, should be directed to:

Forensic Psychiatric Services,
#701—805 West Broadway Avenue,
VANCOUVER, B.C.
Attention: Clinic Director

or:

Forensic Psychiatric Services,
2328 Trent Street,
VICTORIA, B.C.
Attention: Clinic Director

A specific referral form detailing the nature and extent of the request is available from the Commission at either of these locations.

In coming to the conclusion for the need for a psychiatric assessment on a young person before the court, it is recognized by persons working in the juvenile justice system, that such an assessment is only an opinion, from a medical/psychiatric point of view. It is also recognized that assessment of behaviour in a custody setting (i.e., at a Youth Detention Centre) is going to reflect the setting, and it is always desirable to have any kind of assessment, whether that be psychological or psychiatric, undertaken in the offender's natural living circumstances and in keeping with local concerns and sentiments in the community. The Commission stresses that the use of local mental health resources therefore are always preferable unless there is a specific reason why the particular, specialized skills of the Commission are more appropriate.

All *ongoing* treatment services in the province are provided either privately at "the Maples", by the local mental health centres, or by the Forensic Psychiatric Institution at Essondale. With the exception of the latter, the Commission does not provide ongoing treatment.

(b) Public Health Programs

Programs operated by the Ministry of Health, with respect to "public health", cover a wide variety of services offered by public health centres and the activities of public health nurses. Services are geared for the community at large and for children in general, and there are no particular programs provided specifically for youth in conflict with the law. However, some services provided by local health units are helpful in providing assistance to justice system personnel in developing comprehensive programs for youth in trouble with the law, where there is a "public health" need indicated.

Health Unit staff participate in:

1) multi-discipline liaison committees for planning appropriate support and follow-up for children experiencing difficulties in adjustment at school; and

2) local committees struck to assess particular health or social needs within a community and where indicated assist in planning and developing required services.

Health Units also provide leadership in their communities in the development of self-help groups such as "parents in crisis" or other group learning programs related to parenting, discipline, or child development, etc.

Public Health Nurses provide:

1) counselling and support services to families in relation to physical and emotional health;

2) consultation to school personnel concerning physical or emotional problems of students;

3) liaison between school and home in relation to health matters;

4) counselling of individual students in matters relative to their health;

5) information and counselling in relation to venereal disease control; and

6) pre-natal and post-natal counselling.

The services of health units are available directly to the public, and are available through referral from any agency involved in the provision of services to people in local communities.

D. HUMAN RESOURCES

The Ministry of Human Resources (M.H.R.) has wide responsibilities in the area of provision of services to children in need, and is the major provincial government Ministry designated with these responsibilities. Other areas of responsibility which are related are granting of social assistance and some family court services.

The basic legislation governing the operation of the Ministry with respect to children is the Protection of Children Act.

The Protection of Children Act (Section 7[1]), sets out the circumstances in which a child may be brought before a Judge as a child in need of protection. If a finding of need or protection is made, the Judge may order that the child be returned to parents under supervision, or that guardianship be removed from the parents for a temporary or permanent period and that the child become a ward of the Superintendent of Child Welfare. While this process is based on the Superintendent of Child Welfare assuming the role of an adversary, in some cases the child may be apprehended with parental approval.

Apart from non-ward and Protection of Children Act ward care, children also are taken into care through the Equal Guardianship of Infants Act, the Federal Juvenile Delinquents Act and the Family Relations Act. Under the provisions of the Equal Guardianship of Infants Act, if the legal guardians of a child under age 19 years are deceased, if the child lives in B.C., and if there is no testamentary guardian, the guardianship of the child goes to the Superintendent of Child Welfare until further order of the Court.

The Juvenile Delinquents Act provides that if a child under the age of 17 years is judged to have committed a delinquency, the Court may commit the child to the care of the Superintendent of Child Welfare until the age of 19 years or until discharged under the provisions of the Protection of Children Act. Section 65 of the Protection of Children Act provides that if a child under the age of 17 years is found to be beyond the control of his parents or guardian, the matter may be disposed of under the provisions of the Juvenile Delinquents Act. Thus, there is coverage under both Acts to deal with youths beyond the control of parents. This latter section of the Protection of Children Act is falling into disuse because of the increasing reluctance of Judges, probation officers and social workers to designate the child as *sole* cause of a family problem, and because of the negative future implications for the child of having been declared a juvenile delinquent.

Young people under the age of 17, which is the age at which the court considers the person an adult, are not eligible for social assistance. Monetary support to a young person to live on his/her own can be arranged by agreement, but in most cases is through an out-of-court written agreement known as "non-ward" care where the Province assumes the responsibility of a parent with respect to certain conditions. If it appears that a child should be separated from his or her family for a short period, a Non-Ward Agreement may be signed by the parent. This agreement gives the Superintendent of Child Welfare custody of the child while the parent retains guardianship. The child is admitted to care and the full range of child welfare services are made available. Non-ward care is applicable in short-term situations, ordinarily, where the parents keep in close contact with the child.

It should be pointed out, however, that even though a non-ward care subsidy for the child living outside the home is provided by the Ministry, parents are expected to contribute toward the living costs of the child.

It is through the authority of either ward or non-ward status that placements can be made to one of the residential programs described in Part III, or to other community/home-based services described below, which require money allocations.

Most of the services provided by M.H.R. to children in need in relation to juvenile justice are residential, and are dealt with at some length in Part III of this booklet. However, there are three categories of service which are specifically geared to the support of home living circumstances.

(a) Special Services to Children Program

This program involves the provision of child care services which are available through entering into a three-party agreement with the parents, the Society or person providing the child care services and the Ministry. The service is clearly aimed at those children who would be at risk of being removed from their community without the provision of supporting services. These services are delivered by non-profit societies who employ child care workers on a full-time basis and then contract with the Ministry with respect to individual situations. Approximately 300 child care workers are serving about 425 children at any given time.

(b) Family Support Program

The Ministry of Human Resources is currently in the process of developing a Family Support Program to become operative during 1978. The approved budget provides for the establishment of a number of Family Support Worker positions which will be added to the staff complement of many Human Resources offices. The objective of the program is, through use of professional child care and family therapy skills, to support

families in meeting needs such as handling crises, developing communication skills, acquiring new child management techniques, and learning to effectively use available community resources. These are broader, more in depth class of services than those provided in (a).

(c) Rehabilitation Resources—Alternate Education

These are classrooms established by local school boards in which Human Resources funds a society to provide a supportive child care worker. There are approximately 95 of these classes dealing with over 1,000 children. Access to such classes is open to any child in need of such specialized services via the schools.

In the case of youth in conflict with the law, or one potentially in conflict with the law and drawn to the attention of the Ministry Social Workers, there is a clear intention to prevent and/or divert involvement of the child in the formal juvenile justice system. Generally speaking, family services are not dependent upon the child being in care. Counselling, for example, is available on request. Personnel from all the Ministries who may be involved—teachers, school counsellors, social workers, public or mental health personnel, police and probation officers—often work closely together to provide the required support to the youth and possibly to the family in order to prevent the youth from become further involved in conflict with the law.

Part III

RESIDENTIAL PROGRAMS

It is often suggested that the long term solution to the individual difficulties of youth in conflict with the law are found in local community programs. That position is expressed in the variety of programs and services described in Part II of this booklet, which lend assistance and/or control the youth's existing living circumstances.

In some very few but exceptional instances such assistance or control is not enough, and a variety of programs have been developed throughout the province which provide part-time or full-time/time limited residential activities in local communities. Where extensive long term care is required still another set of facilities and programs are available. These latter are fewer in number and located near the large urban centres of the Province.

The compromise between keeping young people in their local communities, and keeping the number of full-time longer term residential facilities at a minimum to ensure development of community-based programs has meant that some juveniles have to reside in resources some distance from their homes, with attendant problems of visitation, pre-release planning, and so on. The need to deal with youth in their own communities, to which they must ultimately return, cannot be overstated. Public safety or the individual safety of youth may be the only reason for transporting juveniles.

The recently implemented Children in Crisis Program is intended to offer an interministerial (Corrections, Human Resources, Health and Education) solution to the problem of providing resources for children presenting severe behavioural problems, both by identification and treatment before the situation becomes critical, and by providing special resources for those few cases where this becomes necessary. It is a program of local, regional and provincial co-ordination, with the emphasis on local and regional handling of the majority of cases, and provincial back-up available only for those cases where local and regional resources have been proven unsatisfactory. Provincial back-up will consist mainly of inter-ministerial co-ordination for placement within existing resources.

The program is intended to allow for the earliest possible identification of and intervention for children and families in crisis situations, through mobilization and co-ordination of resources to deliver effective programs at the local level. A major intent of the program is to provide mechanisms whereby those children for whom the local resources have been proven unsatisfactory can have access to more specialized regional or provincial resources.

Part III of this booklet describes the full range of residential programs available for youth in conflict with the law.

A. ATTORNEY-GENERAL

The Corrections Branch of the Ministry of the Attorney—General is responsible for the provision of remand services, attendance centres, containment and youth program facilities. In practice there is an essential difference between Corrections Branch residential programs for youth in conflict with the law and child care programs run by the Ministry of Human Resources.

Ministry of Human Resources programs are geared for any children in need, from a wide variety of possible sources, the justice system being only one, and deal with a wider variety of acting out or disturbed behaviour often for longer periods of time. Ministry of Human Resources programs also include services for homeless youths who in every other respect are adjusting well to growing up. It is true, however, that many of the children continuously before the courts are known to Human Resources, as the essential social circumstances which lead to such acting out often are the same as those which would constitute grounds for placing the child in a child care program.

Corrections Branch resources emphasize the need to control and support youth who have committed offences, and the time period for such residential supervision is relatively short, and behaviour specific. Remand services focus primarily on control while the youth is before the court.

(a) Remand Services

The problem of juvenile (custody) remand for youth considered "at risk"* while awaiting trial, disposition or placement has been a perennial one. The Family and Children's Court Act (1963) established that municipalities in the province would provide facilities for the operation of Family and Children's Courts, including remand and detention. The Order-in-Council providing the regulations for the Act specified that detention and remand homes were to be supported financially by municipalities in organized areas, and were the responsibility of the province in unorganized areas. In fact, what happened was that youth detention facilities in Vancouver and Victoria provided province-wide service, the alternative elsewhere being police cells in local communities. Private remand home resources saw little development.

In 1969, the Provincial Court Act superceded the Family and Children's Court Act, which made the Regulations and Order-in-Council no longer in force. However, no new Regulations respecting remand and detention operations were ever adopted for the Provincial Court Act, and there continued to be little development of remand services in the province. Regulations for remand and detention have now been developed in conjunction with those for youth containment programs, described below.

In order to rationalize justice services, the Administration of Justice Act was passed in 1974, which included the transfer of the responsibility for present detention facilities, at Vancouver and Victoria, to the province, in particular to the Corrections Branch. The Branch also assumed specific responsibility for the provision of all remand and detention services for the province.

In August of 1976, The Branch authorized a set of comprehensive guidelines and policies for the development and funding of private remand homes throughout the province consistent with the Branch's policy of attemping to avoid the removal of the juvenile from his/her community while awaiting trial, disposition or placement. The guidelines which detailed minimum standards of operation allow for a flexible per diem rate to depend upon the degree of supervision required, to private citizens and groups who could provide temporary homes to such juveniles. Even so, such homes must be designated by the Court, as is indicated in Section 13 (1) of the Juvenile Delinquents Act (as below). The Juvenile Delinquents Act is very clear about the kinds of facilities which can be utilized for children before the courts.

> 'No child,... shall be held in confinement in any county or other goal or place in which adults are or may be imprisoned, but shall be detained at a detention home or shelter used exclusively for children or under charge approved of by the Judge...' Section 13 (1) J.D.A.

> 'Where a warrant has issued for the arrest of a child or where a child has been arrested without a warrant, in a county or district in which there is no detention home used exclusively for children, no incarceration of the child shall be made or had unless in the opinion of the Judge of the court, or, in his absence, of the sheriff...such course is necessary in order to insure the attendance of such child at court...' Section 14 (1) J.D.A.

These intentions are expressed in the enabling provincial legislation in this area called the Corrections Amendment Act (1977).

The Corrections Branch is of the view that the development of private remand homes throughout the province is the most effective use of resources. In most instances where short term stays are required while placement or other plans are being worked out for the youth, remand homes are sufficient. Removal from the community to the security setting of either of the youth detention centres may be appropriate or required in some cases, but bring with them attendant problems in

* Bail Provisions of the Criminal Code (Sec. 457) apply as a legal definition. Actually, however, the terms "at risk" are not legal, but social service terms.

planning local programs, travel for court appearances, and the negative effects of institutionalization. The present practice of holding youths in local city police lock-ups should be phased out with a more consistently developed remand/detention centre service.

The two youth detention centres will receive children under the following circumstances:

1) Warrant of Remand (including post-dispositional remand for youths awaiting a placement).
2) Warrant of Arrest
3) Simple arrest (i.e. apprehension at the scene of an offence).
4) State of intoxication in a public place (S.I.P.P.).

Youth Detention Centre
2020 Cameron Street
Victoria, B.C.
Attention: Director

Youth Detention Centre—
Willingdon
3655 Willingdon Avenue
Burnaby, B.C.
Attention: Director

Private remand homes require a Warrant of Remand before accepting any youth for residence. The contact person(s) for availability in the local area, and information, is the local probation officer.

(b) Attendance Programs

Section 20 of the Juvenile Delinquent Act describes the kinds of dispositions available to the court in sentencing a juvenile, and these have been outlined previously in this booklet. Under sub-section 1 (g) the court may "impose upon the delinquent such further or other conditions as may be deemed advisable". It is under that guideline, and the authority provided in enabling provincial legislation—Corrections (Amendment) Act—that the Corrections Branch has developed and run time-limited and intermittent residential programs for children in conflict with the law. These programs are attended as a condition of a probation order.

There are three categories of attendance programs:

1) Daily attendance, usually after school or work, a program where there are specific activities to be undertaken (covered in Part II of this booklet—non-residential programs). There is a capacity of approximately two hundred spaces on this type of program.
2) Week-end attendance, i.e. where the probationer must attend and reside at the program from Friday night to Sunday afternoon, until successful graduation. The weekend period is the high risk time of the commission of offences. There are between 50 and 60 spaces available in these programs.
3) Summer attendance, a program involving a camping experience with modified "outward bound" principles of from ten to thirty days. There are a total of 80 spaces available in these types of programs.
4) There are two full residential attendance programs which are available for approximately seventy youth. The stay is eight weeks to six months, depending on the particular program, with the juveniles returning to their home communities for aftercare supervision.

These programs offer the court the option of ordering supervision in structured settings for a specific kind of program for those young people unable to respond solely to regular probation supervision in the community. While the specific content varies from one attendance centre to another, the general format is comprised of counselling, educational, vocational, recreational work, and/or wilderness challenge components.

In addition to attendance programs run and staffed by Corrections, the Branch also purchases the services of appropriate programs run by private organizations, and groups, and in some cases funds the programs outright. In this way, this kind of mid-range effective programming services for children in conflict with the law can become available throughout the province on an as-needed basis. Referral to both Branch run programs and those funded by Corrections is usually through a liaison probation officer attached to the particular program.

Information and contacts with regard to attendance programs is always available from the nearest Corrections Branch regional office (Refer to Appendix A).

(c) Containment Programs

Since the repealing in 1969 of the "Training Schools Act", a wide and diverse number of community-based local programs described previously in this booklet, have been developed to deal with delinquent youths.

However, programs which have been developed have not been able to satisfy the need of the community for protection from a youngster before the court who is dangerous to the public, or from a small group of hard-core youths who are constantly before the courts. In addition to child care needs, the lack of a program which stresses personal accountability and reasonable consequences for illegal behaviour has been felt, and expressed by the public's growing concern about criminal behaviour in our society.

Since 1969, the court, where control of the youth is indicated, has been limited to ordering a child into probation supervision, or into wardship of the

Superintendent of Child Welfare. Subsequent placement in a community program was achieved through referral by a probation officer or social worker.

Through 1976 and 1977 the Corrections Branch developed a set of containment program options available for the court's disposition, for those juveniles who have shown that they are beyond attendance centre programs, or for whom children's resources run by the Ministry of Human Resources are not appropriate. Specifically, criteria for admission to these youth containment programs are several: the programs are only for those children found by a provincial court to be fourteen years or older, who are unsuitable for inclusion in other Corrections or Human Resources programs, and who have committed an offence that would render them liable to imprisonment for more than two years if they were adults. These policies are congruent with guidelines on availability of legal services through the Legal Aid Society.

The legislation governing the operation of the specialized programs is the Corrections Amendment Act. It includes the strict admission policy, as well as legislative and administrative safeguards on length of stay, individual case review and so on. Youth containment programs provide relatively short control of juveniles, with the premise that, as soon as appropriate, transfer to other community programs will be effected. Youth containment is a temporary measure of last resort for the very few children who require its special sanction.

The facilities and programs package known as "youth containment" is as follows:

1. Secure custody for those juvenile offenders whose behaviour is deemed to be dangerous to others. The present youth detention centre in Burnaby has been given the additional capacity to hold juveniles at the post-disposition stage. In the past this facility has been utilized only to house juveniles awaiting court action.

   The program in security facilities focuses on work or school and supervised recreational activities. Use of the full range of community services is encouraged to include the involvement of volunteer services wherever possible.

2. Camp programs provide the option of a definitive and well-rounded program centred on work and wilderness programming. Continuing opportunities for education and counselling experience are provided. The emphasis in the camps is on containment through extensive activities and staff supervision as opposed to the use of physical security. Centre Creek Camp at Chilliwack and Lakeview Camp near Campbell River each have a bed capacity of thirty.

3. Group home facilities will be developed in 1978. The aim is to provide secure community-based residential placements and close staff supervision. The emphasis will be on the juvenile continuing, or re-establishing, employment, education, or treatment involvement in the community.

Service provided by the Ministries of Human Resources, Education and Health as well as available private agencies are available for the provision of program support to the containment program. Since juvenile crime is a joint concern of a number of Ministries within government, an interministerial committee of senior officials has been designated to provide on-going co-ordination in the development of programs and policies related to juvenile offenders. The emphasis is to ensure that programs and services which are provided by the various Ministries are complementary in nature. Involved in that committee are representatives from the Ministries of the Attorney-General, Human Resources, Education, and Health. The Children in Crisis Program referenced earlier has arisen out of those consultations.

B. EDUCATION

The Ministry of Education is not directly involved in the full residential programs for children. However, the Ministry does provide services in the form of special approvals, which increases the capacity of local school boards to make contractual arrangements with residential programs for the availability of qualified teachers for the provision of special educational components. This may be in the form of itinerant teachers salaries for full or part-time teachers—as for instance in the jointly run Education/Human Resources Rehabilitation (Alternative Education) programs; or seconded teaching assistance.

C. HEALTH

The major residential program provided by the Ministry of Health for acting out and disturbed children in British Columbia is known as "The Maples", located in Burnaby, B.C. As noted in Part II under outpatient services, "The Maples" provides a variety of services which include comprehensive consultation, assessment and treatment of psychiatric, psychological, social and learning problems in adolescents from the ages of twelve up to seventeen. After an intial screening, adolescents and their families are interviewed at the centre by a team which includes psychiatrists. It is

through this process that treatment recommendations for each adolescent and his/her family are developed. In most cases, the disturbed adolescent will be placed in either a residential cottage or the Day Centre program. In some instances, referral back to local treatment agencies may be indicated.

While in care, the adolescents are involved in individual group and family therapy. They regularly attend school, participate in a variety of recreational and life skills programs including gym, swimming, arts and crafts, and camping.

Referral is through community mental health centres, community care teams, psychiatrists, private physicians, school counsellors, probation officers, local offices of the Ministry of Human Resources and others working in the mental health field. The referrals should be done in person, by phone or in writing to:

Intake Department
Adolescent Residential &
Day Care Centre Program
B.C. Youth Development Centre
"The Maples"
3405 Willingdon Avenue
Burnaby, B.C.
Telephone: 434-4247

In recent years the Ministry of Health has encouraged the general hospitals of the province to provide beds for psychiatric patients, and to incorporate the development of psychiatric units and observation wards when planning new facilities. There are approximately five hundred and fifty psychiatric beds in general hospitals. However, with the exception of eight beds at Vancouver General Hospital, there are no specifically designated units for children but a local doctor can make special arrangements to place a child in a hospital if the need arises. In addition, the Forensic Psychiatric Institute of Essondale, administered by the Forensic Psychiatric Commission, provides one hundred and thirty beds for adults. The program can handle mature sixteen year olds, but no younger children. Riverview hospital is not available to juveniles.

The most effective referral process to hospitals is through the family doctor, or as a result of direct liaison with the hospital itself. Where a youth is severely emotionally disturbed and is a danger to himself, admittance through the emergency department of the hospital will procure interim residential admittance. It is unlikely a hospital will accept a violent person, and the local police cells may be the only resource.

In general, and in particular with respect to young people, the mandate of the justice system to deal with mental health problems is tenuous—as it should be. The commission of an offence is dealt with by the justice system from within a context of the mental well being of an offender—who only needs to appreciate the implications and consequences of his/her actions. In instances where the offence is related to a recognized mental illness, the justice system readily relinquishes control to mental health authorities. Where mental health problems are brought to the attention of justice services personnel and there is no offence involved, the mandate to act is no greater than that of an individual citizen's responsibility to his/her community and neighbour. Mental health authorities are in all cases the most qualified persons to attempt individual solutions to mental health problems.

D. HUMAN RESOURCES

The Protection of Children's Act authorizes certain persons to apprehend a child under seventeen who is found begging, in the company of persons reputed to be criminal, immoral, or disorderly, associating with a thief, drunkard or vagrant, sleeping at night in improper housing, without proper adult supervision, or committing delinquencies. Few areas of social services present greater dilemmas than those arising from being given the care and custody of children who are removed from parental environments under generally negative circumstances.

The Juvenile Delinquents Act, coupled with the provincial Protection of Children's Act, both provide the disposition of last resort for young people constantly before the courts, and who require residential types of resources and programs: removal from the home environment to the care and custody of the Superintendent of Child Welfare. Once in the care of the Superintendent, it is up to the Superintendent (in this case local social workers who are designated as legal agents of the Superintendent) to place the young person in the appropriate resource. In that role, the Ministry operates a wide variety of specialized residential homes, group homes, therapeutic homes, foster homes, and special placements.

In order to facilitate co-operative delivery of services to children brought to the attention of *both* social workers and probation officers, local consultation teams have been formed by staff of the two Ministries. These activities have not only fostered the development of local programs designated as a joint need, but also of co-ordinative policies between Ministries on the allocation of funds, joint standards for outdoor and wilderness (attendance) programs, the transfer of juveniles to adult court, and so on.

The policy of regionalization of resources within the Ministry of Human Resources has given the control of

existing resources of that Ministry to the Regional Managers. The Regional Manager is accountable for all activities including program review, quality control, utilization, and so on. As such, it is policy that if a child is referred to outside of the regional area, the Regional Manager reviews and approves such a referral and contacts a colleague Regional Manager to facilitate such a movement. The Regional Manager also determines, on the basis of need, what new resources or programs are to be considered for development. For these reasons, close communication between the Ministry of Human Resources Regional Managers and those of the Corrections Branch are maintained.

It is Human Resources' policy that access to resources or programs funded or run by the Ministry is obtained through its social work staff. These resources and programs accept referrals only from the appropriate regional staff designated as responsible for the resource. In addition, the majority of programs and resources only accept children that are in the care and custody of the Superintendent of Child Welfare. The exceptions to this are the Rehabilitation Resource Classes (alternate education), which are funded jointly by the local school board and the Ministry of Human Resources. Referrals into these programs is via the school system.

The Ministry's programs accept referrals only through the Ministry staff but it is Ministerial policy that whenever a child has been identified by another professional in the community, all that is possible to assist in the appropriate intervention will be undertaken.

For example, if a child who is on probation is thought to need placement in a group home, the case is discussed by the probation officer with the social worker and if agreement is reached, then the social worker arranges the necessary documentation for the actual placement. Where possible and desirable, the probation officer may continue his/her involvement.

Similarly, if a child in the care or custody of the Superintendent might benefit from a period of placement in an attendance program of the Corrections Branch, such arrangements can be undertaken where there has been an additional offence and a probation order so directs; i.e. an order of probation and committal to the care and custody of the Superintendent can be in force simultaneously, when arising out of different offences.

As a result of the large numbers of programs run by the Ministry of Human Resources, the policy on regionalization of such programs, and the constant change in the individual resources, the best source of up-to-date listings of various resources and programs within each area is the local social worker and district supervisor. They will have immediate first-hand knowledge of those resources in their area. Similarly the Regional Managers will have a regional overview.

The following are the categories of Ministry resources available and utilized for youth who meet eligibility requirements—as a result of their behaviour and living circumstances are considered at risk and require a residential placement.

(a) Specialized Residential

These are staffed resources either run or funded by the Ministry. At present there are approximately thirty of these programs, of which ten are reception, diagnostic type centres which offer reception services, assessment and short term treatment. The remainder offer a variety of programs including services for the mentally handicapped, with lengths of stay varying from three months to several years. There are several hundred residential beds involved in this group.

(b) Group Homes

These are family home environments run by house parents (sometimes supported with child care staff) with the intention of providing a family-like atmosphere for children who require time-limited, treatment-oriented care. There are approximately one hundred and sixty group homes providing one thousand beds. Of these, approximately one-quarter offer assessment and short-term care services.

(c) Therapeutic Homes

These are resources for severely disturbed children in which one child is placed in a couple's home (i.e. on a one-to-one basis). This is an individual arrangement limited to one year, with a three-month review. There are approvals for approximately fifty such resources.

(d) Foster Home Placements

These are homes for children who cannot remain in their own homes, but who do not require the time-limited more intensive kinds of care offered in the other types of treatment placements. Foster homes essentially offer substitute families. These can be long-term placements if desirable. At any one time, there are approximately forty-five hundred foster families caring for about ninety-five hundred children.

(e) Special Placements

Sometimes it is possible to place a child who cannot remain in the family home, with friends or relatives, and provide the necessary personal and funding support which is necessary. These kinds of special arrangements are by mutual agreement, of course, but often are very satisfactory arrangements which can maintain the child in a familiar environment, without the negative circumstances which gave rise to the original problems.

Part IV

Under the Canada Assistance Plan, the Federal Government will match 50% of all provincial expenditures on programs providing social services to children "at risk". Under the Plan, the Ministry of Human Resources is prohibited from receiving cost-sharing for correctional, educational, and recreational programs. Also under existing legislation, Human Resources does not have the authority to incarcerate children and is certainly not in the position to guarantee the holding in security of any child placed in child care programs. On this basis, the youth containment programs which are the only relative long-term residential programs of control available (run by the Corrections Branch) do not duplicate any existing service within Human Resources. Containment centres were described previously in this booklet.

Conclusion:
COMMUNITY DEVELOPMENT

The most important single principle which arises from all of the material provided in the first three parts of this booklet is the importance of local resolutions, in tune with local community sentiment and the needs of individual juveniles.

Many of the programs and services presently provided by the various government Ministries involved have developed from local initiatives as a result of the establishment locally of particular needs. Where similar types of program needs have been felt and expressed across the province, provincial policies and funding have been made available where possible. *Even though this booklet suggests that there are many and varied programs for youth in conflict with the law, there are still gaps in service, and waiting lists for certain kinds of centrally located programs.* Bed space is not always available as quickly as needed, and there are still needs to increase the variety and location of the various types of resources.

The Ministry of the Attorney-General has allocated some funds to be available to support local initiatives—innovative programs or the development locally of programs existing elsewhere. These monies reside in the Justice Development Fund, and are administered upon application for approved kinds of projects and programs. The Justice Development Fund can supply what is known as "seed" money, i.e. for start-up, but long term continuous funding after an initial grant must either be incorporated in regular Ministerial budgets, i.e. through regional managers, or be found elsewhere.

The address of the fund is:

Justice Development Fund
Second Floor
411 Dunsmuir Street
Vancouver, B.C.
V6B 1X4

The federal government also provides funds for worthwhile programs. Since criteria for eligibility and availability of monies often change, the best source of information is:

Consultation Centre
Ministry of the Solicitor General
Suite 202—326 Howe Street
Vancouver, B.C.
V6C 2A5

Many worthwhile programs and services have received initial joint funding from three levels of government: federal, provincial and municipal. Private agency sources and industry have also sometimes made contributions. The latter groups—industry, are an often overlooked sector of our society with respect to funds

for social services. Most companies are anxious to support worthwhile programs where possible.

The potential sources of funds for programs is endless, and depending upon the ingenuity of the persons attempting to develop a resource is not usually a stumbling block to development. The key is people to shoulder the responsibility for this aspect of the quality of life in each community throughout the province. The responsibility does not, and should not, reside *singularly* with probation officers, social workers, the police, judges, school, mental health officers, and others working at providing services. It resides with everyone in the community who has an investment in the development of their community's life, and who can contribute the most valuable commodity of all—personal time. Sometimes it is not easy to work past the bureaucracy of government, but citizens who wish to become involved find a way.

In virtually every community throughout British Columbia, the Justice Co-ordination Branch is looking for volunteers to become involved in joint planning and projects with persons working in the Justice System. Contact can be direct, or through the local probation and/or Human Resources office.

Appendix G lists the Justice Co-ordinators of the Justice Co-ordination Branch.

Finally, with respect to the provision of all of the services outlined in this book, it must be recognized that the various Ministries concerned each have individual priorities and foci for the development and operation of programs and services within their respective jurisdictions. An intense level of committment and energy is required of all field service workers in order to co-ordinate services for an individual youth who requires them—to fit together the mosaic of services provided in British Columbia *for the benefit of the youth and the community*. Striking that balance is one of the most difficult dilemmas facing all persons working in social services and related fields. And it will be an on-going one.

APPENDIX A

REGIONAL HEADQUARTERS CORRECTIONS BRANCH

Region 1
Vancouver Island
#209- 2951 Tillicum Road
Victoria, B.C.
V9A 2A6
387-6394

Region 2
Vancouver
Ste. 400- 805 West Broadway
Vancouver, B.C.
V5Z 1K1
872-7561

Region 3
South Fraser
c/o Room 200
33384 South Fraser Way
Abbotsford, B.C.
V2S 2B5
859-6701

Region 4
North Fraser
Ste. 6- 22409 McIntosh Avenue
Maple Ridge, B.C.
V2X 3C3
467-5509

Region 5
Interior
Room 350
546 St. Paul Street
Kamloops, B.C.
V2C 5T1
374-7034

Region 6
Northern
c/o Room 201
Court House
1600- 3rd Avenue
Prince George, B.C.
V2L 3G6
562-8131

APPENDIX B

SUPERINTENDENTS OF SCHOOLS

School Board telephone appears below each address:

No. 1 (Fernie)
Box 160
Fernie (423-4117)
V0B 1M0
423-7313

No. 2 (Cranbrook)
703 Cranbrook Street
Cranbrook (426-3171)
V1C 3S1
426-4201

No. 3 (Kimberley)
S.S. #1, Site 19, Box 21
Kimberley (427-2247)
V1A 2Y3
427-2247

No. 4 (Windermere)
Box 1110
Golden (344-5241)
V0A 1H0
342-9243

No. 7 (Nelson)
308 Anderson Street
Nelson (352-6681)
V1L 3Y2
352-6681

No. 9 (Castlegar)
Box 3339
Castlegar (365-7731)
V1N 3H6
365-7731

No. 10 (Arrow Lakes)
Box 3339
Castlegar (365-7731)
V1N 3H6
265-3638

No. 11 (Trail)
2079 Columbia Avenue
Trail (368-6434)
V1R 1K7
368-6434

No. 12 (Grand Forks)
Box 640
Grand Forks (442-8258)
V0H 1H0
442-8258

No. 13 (Kettle Valley)
Box 640
Grand Forks (442-8258)
V0H 1H0
449-2300

No. 14 (Southern Okanagan)
Box 280
Oliver (498-3481)
V0H 1T0
498-3481

No. 15 (Penticton)
274 Eckhardt Avenue East
Penticton (492-2721)
V2A 1Z4
492-2721

No. 16 (Kenmore)
Box 850
Penticton (295-6914)
V0X 1W0
499-5825

No. 17 (Princeton)
Box 850
Princeton (295-6914)
V0X 1W0
295-6914

No. 18 (Golden)
Box 1110
Golden (344-5241)
V0A 1H0
344-5241

No. 19 (Revelstoke)
Bag 5800
Revelstoke (837-2102)
V0E 2S0
837-2102

No. 21 (Armstrong-Spallumcheen)
Box 430
Armstrong (546-4671)
V0E 1B0
546-2001

No. 22 (Vernon)
Drawer 1028
Vernon (542-3331)
V1T 6N2
542-3331

Superintendents of Schools

No. 23 (Central Okanagan)
599 Harvey Avenue
Kelowna (762-2837)
V1Y 6C8
762-2837

No. 24 (Kamloops)
1383 9th Avenue
Kamloops (374-0679)
V2C 3X7
374-0679

No. 26 (North Thompson)
Box 1314
Clearwater (674-3313)
V0E 1N0
674-3313

No. 27 (Cariboo-Chilcotin)
350 Second Avenue North
Williams Lake (392-3345)
V2G 1Z9
392-3345

No. 28 (Quesnel)
450 Bowron Avenue
Quesnel (992-7211)
V2J 4H5
992-8802

No. 29 (Lillooet)
Box 250
Ashcroft (453-2284)
V0K 1A0
256-4282

No. 30 (South Cariboo)
Box 250
Ashcroft (453-2284)
V0K 1A0
453-2284

No. 31 (Merritt)
Box 2280
Merritt (378-5161)
V0K 2B0
378-5161

No. 32 (Hope)
Box 700
Hope (869-5141)
V0X 1L0
869-5011

No. 33 (Chilliwack)
235 Yale Road East
Chilliwack (792-1321)
V2P 2P9
792-1321

No. 34 (Abbotsford)
2343 McCallum Road
Abbotsford (859-4891)
V2S 3P5
859-4891

No. 35 (Langley)
22259- 48th Avenue
Langley (534-7891)
V3A 3Z7
534-7891

No. 36 (Surrey)
Superintendent of Schools
14225 56th Avenue
Surrey (594-0411)
V3W 1H9
594-0411

No. 37 (Delta)
4629 51st Street
Delta (946-4101)
V4K 2V9
946-4101

No. 38 (Richmond)
6891 No. 3 Road
Richmond (278-9521)
V6Y 2B9
278-9521

No. 39 (Vancouver)
Superintendent of Schools
1595 West 10th Avenue
Vancouver (731-1131)
V6J 1Z8
731-1131

No. 40 (New Westminster)
Box 735
New Westminster (522-0644)
V3L 4Z3
522-0644

No. 41 (Burnaby)
Superintendent of Schools
5325 Kincaid Street
Burnaby (299-0611)
V5G 1W2
299-0611

No. 42 (Maple Ridge)
22461- 119th Avenue
Maple Ridge (463-6223)
V2X 2Z4
463-6221

No. 43 (Coquitlam)
Superintendent of Schools
550 Poirier Street
Coquitlam (939-9201)
V3J 6A7
939-9201

No. 44 (North Vancouver)
Superintendent of Schools
721 Chesterfield
North Vancouver (987-8141)
V7M 2M5
987-8141

No. 45 (West Vancouver)
1075- 21st Street
West Vancouver (922-9151)
V7V 4A9
922-9151

No. 46 (Sechelt)
Box 220
Gibsons (926-3717, Van.)
V0N 1V0
926-3717 (Vancouver)

No. 47 (Powell River)
6906 Duncan Street
Powell River (485-6271)
V8A 1V3
485-6271

No. 48 (Howe Sound)
Box 250
Squamish (892-5228)
V0N 3G0
892-5228

No. 49 (Central Coast)
c/o R.R. #2
Mission (826-2830)
V2V 4H9
982-2414

No. 50 (Queen Charlotte)
Box 69 (559-4249)
Queen Charlotte City
V0T 1S0
559-4491

No. 52 (Prince Rupert)
Box 517
Prince Rupert (624-6717)
V8J 3R6
624-6717

No. 54 (Smithers)
Box 2890
Smithers (847-3261)
V0J 2N0
847-3261

No. 55 (Burns Lake)
Box 2000
Burns Lake (692-7141)
V0J 1E0
692-7141

No. 56 (Nechako)
Box 680
Vanderhoof (567-2284)
V0J 3A0
567-2284

No. 57 (Prince George)
Superintendent of Schools
1891- 6th Avenue
Prince George (564-1511)
V2M 1L7
564-1511

No. 59 (Peace River South)
929- 106th Avenue
Dawson Creek (782-8571)
V1G 2N9
782-8571

No. 60 (Peace River North)
9803- 102nd Street
Fort St. John (785-6785)
V1J 4B3
785-6785

No. 61 (Greater Victoria)
Superintendent of Schools
Box 700
Victoria (592-1211)
V8W 2R1
592-1211

No. 62 (Sooke)
2227 Sooke Road
Victoria (478-1781)
V9B 1W9
478-1781

No. 63 (Saanich)
Box 2010
Sidney (656-1111)
V8L 3S4
656-1111

No. 64 (Gulf Islands)
Box 10
Lake Cowichan (749-6636)
V0R 2G0
537-5548

No. 65 (Cowichan)
281 Canada Avenue
Duncan (748-0335)
V9L 1T6
748-0321

No. 66 (Lake Cowichan)
2557 Beverly St.
Duncan (748-0321)
V9L 3X3
749-6636

No. 68 (Nanaimo)
395 Wakesiah Avenue
Nanaimo (754-5521)
V9R 3K6
754-5521

No. 69 (Qualicum)
Box 790
Qualicum Beach (752-9215)
V0R 2T0
752-9215

No. 70 (Alberni)
4690 Roger Street
Port Alberni (724-3266)
V9Y 3Z4
723-3565

No. 71 (Courtenay)
892 Harmston Avenue
Courtenay (338-5383)
V9N 2X8
338-5383

No. 72 (Campbell River)
425 Pinecrest Road
Campbell River (287-8385)
V9W 3N9
287-7116

No. 75 (Mission)
33046- 4th Avenue
Mission (826-6286)
V2V 1S6
826-6286

No. 76 (Agassiz-Harrison)
Box 700
Hope (869-5141)
V0X 1L0
796-2225

No. 77 (Summerland)
Box 339
Summerland (494-7511)
V0H 1Z0
494-7511

No. 80 (Kitimat)
1515 Kingfisher Avenue
Kitimat (632-6124)
V8C 1S5
632-6124

No. 81 (Fort Nelson)
Box 87
Fort Nelson (774-2593)
V0C 1R0
774-2591

No. 84 (Vancouver Island West)
Box 790
Qualicum Beach (752-9215)
V0R 2T0
283-2241/2

No. 85 (Vancouver Island North)
P.O. Box 90
Port Hardy (949-6618)
V0N 2P0
949-6618

No. 86 (Creston-Kaslo)
Box 1640
Creston (428-2217)
V0B 1G0
428-2217

No. 87 (Stikine)
Box 87
Fort Nelson (774-2593)
V0C 1R0
774-2591

No. 88 (Terrace)
Drawer 460
Terrace (635-4931)
V8G 4B5
635-4931

No. 89 (Shuswap)
Box 699
Salmon Arm (832-2157)
V0E 2T0
832-2157

No. 92 (Nishga)
Box 69
Queen Charlotte City
V0T 1S0 (559-4249)
635-9101

Relieving District Superintendent
316 Marshall Avenue
Chilliwack (795-9970)
V2P 3J4

APPENDIX C

MENTAL HEALTH CENTRES IN B.C.

ABBOTSFORD
2391 Crescent Way
Abbotsford, B.C.
V2S 3M1

BURNABY
3405 Willingdon Avenue
North Burnaby, B.C.
V5G 3H4

CHILLIWACK
45470 Menholm Road
Chilliwack, B. C.
V2P 1M2

COURTENAY
479- 4th Street
Courtenay, B.C.
V9N 1G9

CRANBROOK
2205 Second Street North
Cranbrook, B.C.
V1C 3L4

DUNCAN
3046 Gibbins Road
P.O. Box 707
Duncan, B.C.
V9L 3Y1

FORT ST. JOHN
9325 100th Street
Fort St. John, B.C.
V1J 3X3

KAMLOOPS
519 Columbia Street
Kamloops, B.C.
V2C 2T8

KELOWNA
390 Queensway Avenue
Kelowna, B.C.
V1Y 6S7

LANGLEY
Suite 202
20560- 56th Avenue
Langley, B.C.
V3A 3Y8

MAPLE RIDGE
11940- 225th Street
Maple Ridge, B.C.
V2X 6G1

NANAIMO
285 Prideaux Street
Nanaimo, B.C.
V9R 2N2

NELSON
415 Kootenay Street
Room 202
Nelson, B.C.
V1L 1K7

NEW WESTMINSTER
403- 6th Street
New Westminster, B.C.
V3M 1E5

PENTICTON
300 Eckhardt Avenue East
Penticton, B.C.
V2A 1Z2

PORT ALBERNI
4711 Elizabeth Street
Port Alberni, B.C.
V9Y 6M1

PORT COQUITLAM
2266 Wilson Street
Port Coquitlam, B.C.
V3C 1Z5

POWELL RIVER
6243 Walnut Street
Powell River, B.C.
V8A 4K4

PRINCE GEORGE
1461- 6th Avenue
Prince George, B.C.
V2L 3N3

PRINCE RUPERT
342- 3rd Avenue West
Prince Rupert, B.C.
V8J 1L5

SAANICH
4514 West Saanich Road
Victoria, B.C.
V8Z 3G4

SECHELT
P.O. Box 949
Sechelt, B.C.
V0N 3A0

SQUAMISH
Box 149
Garibaldi Highlands
V0N 1T0

SURREY
14275- 56th Avenue
Surrey, B.C.
V3W 1H8

TERRACE
#4- 4554 Lazelle Avenue
Terrace, B.C.
V8G 1S2

TRAIL
1325 McQuarrie Street
Trail, B.C.
V1R 1X2

VERNON
3300- 37th Avenue
Vernon, B.C.
V1T 2Y5

VICTORIA
2328 Trent Street
Victoria, B.C.
V8R 4Z3

WHALLEY
10677 King George Highway
Surrey, B.C.
V3T 2X6

WILLIAMS LAKE
#302- 197 2nd Avenue North
Williams Lake, B.C.
V2G 1Z5

APPENDIX D

MINISTRY OF HUMAN RESOURCES REGIONAL OFFICES

Region One
Vancouver East
3550 East Hastings
Vancouver, B.C.
V5K 2A8
294-4844

Region Two
Vancouver Burrard
3355 West Broadway
Vancouver, B.C.
V6R 2B1
734-1221

Appendix D continued

Ministry of Human Resources—Regional Offices

Region Three
Okanagan
209- 3205 32nd Street
Vernon, B.C.
V1T 5M7
542-4034

Region Four
Kootenays
385 Baker Street
Nelson, B.C.
V1L 4H6
352-2211
Local 219/309

Region Five
Prince George/Cariboo
227- 2188 Fourth Avenue
Prince George, B.C.
V2L 3J7
562-8131
Local 280

Region Six
Fraser Valley
33380 South Fraser Way
Abbotsford, B.C.
V2S 2C5
853-9477

Region Seven
Prince Rupert/Bulkley Valley
#4- 4642 Lazelle Avenue
Terrace, B.C.
V8G 1S6
638-1151/2

Region Eight
North & South
Peace River
10178- 105th Avenue
Dawson Creek, B.C.
V1G 2L3
782-5931
Local 279

Region Nine
Kamloops Mainline
Tranquille
Tranquille, B.C.
376-3361
Local 203

Region Ten
Vancouver Island
North of Malahat
Suite 205- 435 Trunk Road
Duncan, B.C.
V9L 2P5
746-6183
Local 265/268

Region Eleven
Victoria & Area
Capital Regional District
1627 Fort Street
Victoria, B.C.
V8R 1H8
598-5121 or
387-3735

Region Twelve
Fraser South
5766- 176A Street
Surrey, B.C.
V3S 4H3
576-8636/7/8

Region Thirteen
Fraser North
1111 Austin Avenue
Coquitlam, B.C.
V3K 3P4
931-4501

Region Fourteen
West Coast
Room 211
800 Cassiar Street
Vancouver, B.C.
V5K 4N6
299-9131

Region Sixteen
Vancouver South
2210 Grandview Highway
Vancouver, B.C.
V5T 2C9
438-8341

Region Seventeen
Vancouver West
Ste. 270-1200 West 73rd Ave.
Vancouver, B.C.
V6P 6G5
263-0901

APPENDIX E

LEGAL AID SOCIETY

1. Financial Eligibility of Juveniles

A juvenile, or any young person, still financially dependent upon his/her parents, will have eligibility determined on the basis of *funds available to him/her* for the legal services required.

2. Coverage

Juveniles appear in Court under the jurisdiction of the Juvenile Delinquents Act. The Legal Aid Society *must* provide counsel when criteria of financial eligibility have been met and the offense would qualify him/her for legal aid if he/she was an adult. The following are those conditions:

1. *all indictable offenses* (i.e. all those offences in which the Crown is proceeding by indictment);
2. *all federal summary conviction offenses* where there is a likelihood that upon conviction there will be a sentence of imprisonment or the loss of means of earning a livelihood, or where *special circumstances exist* that warrant the provision of Legal Aid.
3. all proceedings under the *Extradition Act* and the *Fugitive Offenders Act*;
4. all Crown appeals from any of the above
5. all *appeals by an accused* from any of the above, where the appeal has merit, or where the court appealed to request the appointment of counsel on behalf of the person who is appealing.

LEGAL AID SOCIETY REGIONAL OFFICES DIRECTORY

Victoria
Law Centre
510 Fort Street
Victoria, B.C.
V8W 1J3
382-6131

Nanaimo
2nd Floor
149 Wallace Street
Nanaimo, B.C.
V9R 5K4
753-0271

Campbell River
2nd Floor
912 Island Highway
P.O. Box 157
Campbell River, B.C.
V9W 5A7
287-9521

New Westminster
318-604 Columbia Street
New Westminster, B.C.
V3M 1A6
522-7951

Surrey
10694- 135A Street
Surrey, B.C.
V3T 4E2
584-8535

Chilliwack
5 Mill Street, Centre
20 Mill Street
Chilliwack, B.C.
V2P 4N2
792-7264

continued

Legal Aid Society

Kelowna
1476 St. Paul Street
Kelowna, B.C.
V1Y 2E6
763-8804

Vernon Intake Office
2905- 30th Avenue
Vernon, B.C.
V1T 2B8
545-3269

Nelson
550 Stanley Street
Nelson, B.C.
V1L 1N2
352-3147

Cranbrook
125- 10th Avenue S.
Cranbrook, B.C.
V1C 2N1
426-8971

Kamloops
204- 156 Victoria Street
Kamloops, B.C.
V2C 1Z7
374-3107

Williams Lake
94- 1st Avenue North
Williams Lake, B.C.
V2G 2C6

Prince George
202- 1378 5th Street
Prince George, B.C.
V2L 3L4
562-4445

Prince Rupert
3- 211 5th Street
Prince Rupert, B.C.
V8J 3T2
627-1364

AREA DIRECTORS

In 15 communities throughout the province which do not have a full-time Regional Office, the Legal Aid Society has retained practising lawyers to act as agents, with the following responsibilities:

1. accept applications for legal aid in their area;
2. determine eligibility of applicants;
3. make referrals to private lawyers, for qualified applicants;
4. provide summary advice to applicants who do not qualify for referral.

AREA DIRECTORS' DIRECTORY

Dawson Creek (Criminal only)
10302 10th Street
Dawson Creek, B.C.
V1G 3T6
782-3347

Dawson Creek (Civil only)
1136- 103rd Avenue
Dawson Creek, B.C.
V1G 2G7
782-8548

Duncan
166 Station Street
Box 885
Duncan, B.C.
V9L 3Y2
748-3783

Fort Nelson
Box 1137
Fort Nelson, B.C.
V0C 1R0
774-2717

Golden
P.O. Box 429
Golden, B.C.
V0A 1H0
344-5258

Pemberton
#106- 38066 Cleveland Ave.
Box 1910
Squamish, B.C.
V0N 3G0
892-5612

Penticton
100- 116 Main Street
Penticton, B.C.
V6A 5A4
492-2624

Powell River (Criminal only)
Powell River Civil Liberties
Marine Avenue
Powell River, B.C.
485-2818

Powell River (Civil only)
6239 Walnut Street
Powell River, B.C.
V8A 4K4
483-3080

Revelstoke
119 Campbell Street
Box 2490
Revelstoke, B.C.
V0E 2S0
837-5196

Quesnel
242 Reid Street
Quesnel, B.C.
V2J 2M2
992-7268

Richmond
#4- 8118 Anderson Road
Richmond, B. C.
V6Y 1S1
273-8727

Salmon Arm
3639 Shuswap Avenue
Salmon Arm, B.C.
V0E 2T0
832-7061

Smithers
P.O. Box 847
Smithers, B.C.
V0J 2N0
847-3241

Terrace
4658 Lazelle Avenue
Terrace, B.C.
V8G 1S6
635-6330

Tofino/Ucluelet
P.O. Box 576
Port Alberni, B.C.
V9Y 7M9
724-3253

Whitehorse
112 Wood Street
Whitehorse
Yukon Territory
Y1A 3T2
(403) 667-7885

APPENDIX F

EXTRACT: POLICIES AND PROCEDURES MANUAL MINISTRY OF HUMAN RESOURCES— YOUTH SERVICES

WHERE IT IS DIRECTLY EVIDENT THAT A CHILD IS IN JEOPARDY OR IN DANGER OF PHYSICAL INJURY OR IN PERIL OF ITS LIFE, PROVIDE THE IMMEDIATE AND NECESSARY PROTECTION BY APPREHENSION.

IN LESS CRITICAL SITUATIONS, THE ASSESSMENT AND TREATMENT PLAN SHOULD BE DISCUSSED WITH THE DISTRICT SUPERVISOR. IF IT IS CONSIDERED NECESSARY TO REMOVE THE CHILD FROM HIS HOME BY APPREHENSION AND THE PARENTS ARE AGREEING THE DISTRICT SUPERVISOR MAY WISH TO INVOLVE THE REGIONAL DIRECTOR, WHO, IN TURN WILL REFER TO CHILD WELFARE DIVISION, IF THERE IS A NEED FOR DIVISION TO BE INFORMED OF THE SITUATION.

Apprehension of a child from his own home is a serious step. It may, however, be necessary because:

1) The parents are unable or unwilling to participate in any treatment plan.
2) The family problem is such that the child's removal is necessary whether for his own protection or to relieve family pressures while treatment proceeds.

Apprehension, however, unless the decision is for permanent separation should always be seen as a *step* in the treatment process, and the parents and child should, insofar as possible, be involved in the decision and be aware of what changes must take place in order that the family may be reunited. Ideally, the Court should also be involved in the planning and goals for the family.

LEGAL COUNSEL

Throughout the Province there are Regional Crown Counsel who have the responsibility of providing prosecuting service for all matters which come before the Courts by way of charges under any specific Provincial Statute. Such matters as the Protection of Children Act and related statutes are now the prime concern of the Regional Crown Counsel, or someone appointed by him to take a specific action.

The Departmental Solicitor is responsible for all other legal matters including the appointment of counsel to defend Protection of Children Act wards who may be facing criminal charges. The question of appeals should also be discussed with him and with the Superintendent of Child Welfare.

All requests for appointment of Counsel to defend a Protection of Children Act Ward, or matters relating to appeals, must be made through Child Welfare Division. The Division will request legal counsel, where necessary, for the Attorney-General's Ministry on behalf of the ward and local administering office.

Other Children Committed under Juvenile Delinquents Act

When a child who is alleged to have committed a delinquency comes into contact with the police, the recommendation as to whether the matter will proceed to court is the responsibility of the Probation Officer.

It is understood that in minor misdemeanours, the Probation Office as provided for in Section 7 of the Corrections Act "shall endeavour to solve family problems without the intervention of a Judge".

It may, in some cases be advisable for the Probation Officer to refer the youngster's situation to the Human Resources Office in order that our Ministry may explore the need for services that we provide (repatriation). If it is essential that a child's case be brought before the Court then the full provisions of the Juvenile Delinquents Act are available. It is understood that our Ministry will not need to be represented in all cases. However, when a child's case comes before the Court and it is the opinion of the Probation Officer that it may be necessary to recommend that the Court remove the child from his home, then the Probation Officer will so advise the social worker, who will represent the Superintendent of Child Welfare in Court.

Where all concerned believe that the best interests of the child would be served by modification of his environment then the Court will make an order committing the child to the Superintendent of Child Welfare. Copy of Court Order with C.W. 13 is to be submitted to Child Welfare Division.

NON-WARD CARE

1. Purpose

The purpose of non-ward care is to provide for the temporary care of children away from their parents where such planning is part of the total service to the family. In such cases family assessment should indicate that parents are still capable of exercising guardianship rights, are responsible enough to enter into an agreement with the Superintendent, and are fully aware of their rights and financial responsibilities under a non-ward care agreement. Return to the family after a specified period is established as part of the agreement, and should the period of care be extended beyond the agreed time, it is understood that this is a revised plan which should be covered by a new agreement. Used in this way non-ward care may provide:

1) for the care of a child whose parent or parents are temporarily incapacitated and unable to themselves provide for the physical care of their child(ren), and other resources such as homemaker or day care are unavailable or not applicable to the particular situation, or

2) for a special service on a long or short-term basis which meets the needs of the child and is not available within the family (this may be treatment resource). It is assumed that a maximum time limit of two years will be set.

   Note: If a later assessment of the family indicates that they are no longer able to assume their parental role, the case should be reviewed with the possibility of court action under Protection of Children Act.

3) for a child over 17 years of age not normally accepted as a non-ward, exceptions may be made for children over age 17 where:

   (a) the child is not yet able to live independently

   (b) there is no suitable relative who could care for the child

   (c) the child requires services and supervision that are more appropriate under a Child Welfare program

   (d) there is the same procedure for limited time periods as required in admitting children to non-ward care under age 17.

   Note: Authority for decision to admit the child over 17 is with the District Supervisor. Since the child will be an adult within a short period, these cases should be reviewed regularly to ensure that there is planning and progress toward independent functioning.

APPENDIX G
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